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February 23, 2022

**VIA E-MAIL**

The Honorable Leda Dunn Wettre, U.S.M.J.  
United States District Court  
District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07102

**Re: CommScope, Inc. v. Rosenberger Technology (Kunshan) Co. Ltd., et al.**  
**Civil Action No. 2:19-cv-15962-JXN-LDW**

Dear Judge Wettre,

This office represents plaintiffs CommScope, Inc., CommScope, Inc. of North Carolina and CommScope Technologies, LLC (collectively, "CommScope") in the above-referenced matter. We write on behalf of all parties.

In reviewing the amended scheduling order recently entered by the Court (Dkt. 514), we noticed that through an inadvertent error in the cover letter by which the parties submitted their joint stipulation, the date for the close of expert discovery does not match the joint stipulation itself (Dkt. 501).

Regarding expert discovery, the parties' joint stipulation "request[ed] that the Court extend the expert discovery deadline by approximately 3.5 months, from August 31, 2022 to December 15, 2022, with opening expert reports due on August 5, 2022, and rebuttal expert reports due on October 14, 2022." (Dkt. 350 at 5.) The amended scheduling order adopted all of the dates in the parties' joint stipulation except that it provides that expert discovery, including expert depositions, must be completed on October 14, 2022, rather than December 15, 2022 as the parties had agreed. This error appears to have originated in the cover letter, which inadvertently does not match the parties' agreement. (Dkt. 350 at 2.) It creates an unworkable situation where responding experts must be deposed before their reports are due, contrary to the parties' intent.

The parties apologize for this scrivener's error and respectfully request that the Court modify the amended scheduling order to set the date for the close of expert discovery as December 15, 2022. As revised, the amended scheduling order would read as follows, with the only edit shown in strikethrough:



Norris McLaughlin, P.A.

February 23, 2022

Page 2

1. The period in which depositions may be taken is extended through **July 15, 2022**. All other fact discovery shall have been completed by the January 31, 2022 deadline of ECF No. 494.
2. All affirmative expert reports shall be delivered by **August 5, 2022**. Any such report shall comport with the form and content requirements of Fed. R. Civ. P. 26(a)(2)(B).
3. All responding expert reports shall be delivered by **October 14, 2022**. Any such report shall comport with the form and content requirements referenced above.
4. Expert discovery, including the depositions of any expert witnesses, shall be completed on or before ~~October 14, 2022~~ **December 15, 2022**.
5. The parties shall appear for a telephonic status conference before the undersigned on **June 9, 2022 at 2:00 p.m.** The parties shall submit a joint status letter to the Court no later than one week in advance of the conference. Dial-in information for the conference is (888) 684-8852, access code 8948139.

If this correction is acceptable, the parties respectfully request that Your Honor "so order" this letter submission, thereby granting this request. If Your Honor has any questions, please let the parties know at the Court's earliest convenience and we will work to address them as soon as possible.

Respectfully submitted,

**NORRIS McLAUGHLIN, P.A.**

/s/ Edward G. Sponzilli

Edward G. Sponzill

CC: Counsel of record (via ECF)

So Ordered:



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Hon. Leda Dunn Wettre, U.S.M.J.

Dated: February 23, 2022